

JS-6

1  
2  
3  
4  
5  
6  
7  
8  
9  
10 THE UNITED STATES DISTRICT COURT  
FOR THE CENTRAL DISTRICT OF CALIFORNIA

11 **Sergey Grishin**, an individual,

CV 18-10179 DSF (AGRx)

12 Plaintiff,

**Judgment and Order of Dismissal**

13  
14 v.

15 **Jennifer Sulkess**, an individual,  
16 and **Does 1–10**,

17 Defendants.  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

---

1 In accordance with the Court's Order Granting Motion to Enforce Settlement  
2 Agreement (Dkt. No. 89) and consistent with the terms of the parties' agreement, the  
3 Court enters final judgment in this action between Plaintiff Sergey Grishin and  
4 Defendant Jennifer Sulkess. Pursuant to this Final Judgment, IT IS ORDERED,  
5 ADJUDGED, AND DECREED THAT:

- 6 1. Plaintiff's claims for copyright infringement under Count 1, dismissed  
7 without prejudice *sua sponte* by the Court on May 31, 2019, are severed  
8 from the other causes of action, and may be re-filed at a later date (subject  
9 to any applicable statutes of limitation) without regard to final resolution of  
10 Plaintiff's defamation claims under Counts 2 and 3;
- 11 2. Plaintiff's claim for public disclosure of private facts under Count 4 and  
12 related injunctive relief under Count 5 are severed from the other causes of  
13 action, dismissed without prejudice, and may be re-filed at a later date  
14 (subject to any applicable statutes of limitation) without regard to final  
15 resolution of Plaintiff's defamation claims under Counts 2 and 3;
- 16 3. Consistent with the terms of the parties' agreement, the Court expressly  
17 reserves Plaintiff Grishin's right to maintain his claims for copyright  
18 infringement and public disclosure of public facts claims in later filed  
19 actions without the principles of res judicata applying to preclude such  
20 actions;
- 21 4. Each party shall pay his or her own costs and attorneys' fees with respect to  
22 the disposition of Plaintiff's claims under Counts 1, 4, and 5;
- 23 5. Judgment is entered against Plaintiff on his defamation claims under Counts  
24 2 and 3 and Plaintiff shall take nothing by way of those claims;
- 25 6. In light of the parties' agreement to seek an immediate appeal of the  
26 judgement against Plaintiff on his defamation claims, the Court finds that  
27 there is no just reason to delay such an appeal, because the need for  
28 appellate review will not be mooted by developments in the District Court;


1 and the issues to be decided in such an appeal are unique and unrelated to  
2 the severed Counts 1, 4 and 5;

3 7. Consistent with the parties' agreement, Plaintiff is ordered to post a bond of  
4 \$85,000 in conjunction with the appeal;

5 8. Without affecting the finality of the Court's judgment in any way, the Court  
6 retains jurisdiction over this matter for purposes of resolving issues relating  
7 to the interpretation, administration, implementation, effectuation, and  
8 enforcement of the parties' agreement.

9  
10 IT IS SO ORDERED.

11 DATED: April 21, 2020

12   
13 Honorable Dale S. Fischer  
14 UNITED STATES DISTRICT JUDGE  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28